

State of Minnesota**District Court**

County

Judicial District: _____

Court File Number: _____

Case Type: Dissolution without Children**In Re the Marriage of:**_____
Name of Petitioner

and

Name of RespondentTO: ☐ Petitioner ☐ Respondent**Notice Of Motion And
Motion For Temporary Relief
Without Children**_____
First_____
Middle_____
Last_____
Street Address_____
Apt. No._____
City_____
County_____
State_____
Zip Code**NOTICE**

PLEASE TAKE NOTICE that on the _____ day of _____,

at _____ o'clock _____m. before _____ in Room _____
(name of judge/judicial officer)

of the _____ located at _____, Minnesota, I

will ask the Court for an Order granting the following relief:

1. The Court should order the other party and me to use mediation to help us reach an agreement:

☐ YES ☐ NO. If YES, the issues that should be mediated are:

- ☐ a. Dividing our household goods, furnishings, vehicle(s), bank account(s), other assets and personal property;
- ☐ b. Dividing our real property;
- ☐ c. Maintenance/Alimony;
- ☐ d. Dividing our debts;

☐ e. Other: _____

2. Temporary maintenance (alimony) should be granted as follows: (*check one*)

- ☐ a. Temporary maintenance should not be granted either to me or the other party.
- ☐ b. The Court should decide temporary maintenance later.
- ☐ c. The other party should pay to me \$ _____ per month for temporary maintenance. The payment should be automatically withheld from the other party's wages or salary and paid to me according to Minnesota Statute sections 518.611 or 518.613.

3. Attorney's fees should be awarded as follows: (*check one*)

- ☐ a. The Court should require me and the other party to each pay our own attorney's fees and expenses if we have any.
- ☐ b. The Court should require the other party to pay me \$ _____ toward my attorney's fees and expenses.
- ☐ c. The Court should decide attorney's fees later.

4. Until the final decree is ordered (check one):

- ☐ a. I should have sole use and possession of the home located at _____
_____ in the City of _____
_____, State of _____, and (*check one*):
- ☐ I ☐ the other party should pay the mortgage and other expenses for the home.
- ☐ b. The other party should have sole use and possession of the home located at _____
_____ in the City of _____
_____, State of _____, and (*check one*):
- ☐ I ☐ the other party should pay the mortgage and other expenses for the home.
- ☐ c. The other party and I should share the use and possession of the home located at _____
_____ in the City of _____
_____, State of _____. The mortgage and other expenses for the home should be paid as follows:

<u>Expense</u>	<u>Who Should Pay</u>

5. Until the final decree is ordered (*check one*):

- ☐ a. The other party and I should have the temporary use and possession of the personal belongings, household goods, and furnishings that each of us now has in possession.
- ☐ b. The Court should give me temporary sole use and possession of the following personal belongings, household goods, and furnishings (*list the items you want*):

- ☐ c. The Court should give the other party temporary sole use and possession of the following personal belongings, household goods, and furnishings (*list the items they want*):

6. ☐ a. Until the final decree is ordered, temporary use and possession of the vehicle(s) should be divided, and the vehicle loan(s) and insurance should be paid, as follows:

Year	Make	Model	Awarded to whom	Who pays vehicle loan/insurance

- ☐ b. We do not own any vehicles.

7. ☐ a. Until the final decree is ordered, our debts should be paid as follows:

Creditor (to whom the money is owed)	Total Balance Owed	Monthly Amount Due	Who Should Pay
	\$	\$	
	\$	\$	
	\$	\$	
	\$	\$	
	\$	\$	
	\$	\$	
	\$	\$	

- ☐ b. We do not have any debts.

8. The Court should allow me to change certain medical, dental, automobile, or life insurance policies: ☐ YES ☐ NO. If YES, list the policy and the changes you want to make: _____
_____.

9. The other party should reinstate insurance: ☐ YES ☐ NO. If YES, list the insurance that should be reinstated_____.
10. The Court should order the other party to immediately notify me of any salary or wage increases, bonuses or other extra income: ☐ YES ☐ NO.
11. The Court should order that the other party shall not spend or otherwise use income raises, income tax refunds, bonuses, or other extra income: ☐ YES ☐ NO.
12. Restrain both parties from transferring, encumbering, concealing or disposing of property, including any tax refunds, except in the usual course of business or for the necessities of life, except as to any future earned income, except as the parties with their attorneys may mutually agree in writing.
13. The Court should allow me to sell or otherwise get rid of other property: ☐ YES ☐ NO. If YES, list the property you wish to dispose of and explain why:_____.
14. Restrain both parties from harassing, vilifying, mistreating, molesting, disturbing the peace, or restraining the liberty of the other party or the child(ren) of the parties.
15. The Court should grant the additional relief: ☐ YES ☐ NO. If YES, the relief I request is: _____.
16. The Court should grant other additional relief that is fair and just.

The grounds for this *Motion* are as stated in the *Affidavit* and is filed along with this *Notice of Motion and Motion*.

VERIFICATION AND ACKNOWLEDGEMENTS

- a) I have read this document. To the best of my knowledge, information and belief, the information contained in this document is well grounded in fact and is warranted by existing law.
- b) I have not been determined by any Court in Minnesota or in any other state to be a frivolous litigant and I am not the subject of an Order precluding me from serving or filing this document.
- c) I am not serving or filing this document for any improper purpose, such as to harass the other party or to cause delay or needless increase in the cost of litigation or to commit a fraud on the Court.
- d) I understand that if I am not telling the truth, or if I am misleading the Court or serving or filing this document for an improper purpose, the Court can order me to pay money to the other party, including the reasonable expenses incurred by the other party because of filing or serving this document, court costs, and reasonable attorney's fees.

NOTICE TO THE OTHER PARTY

After you receive these papers, if you want to respond to anything raised by the other party in his/her papers, your written response must be **personally served** on the other party **at least five (5) days before the hearing** or **mailed** to the other party **at least eight (8) days before the hearing**. Your responsive papers must be filed with the Court Administrator **at least five (5) days before the hearing**. If you want to raise **new** issues at the hearing the other party has scheduled, your *Motion* and *Affidavit* must be **personally served** on the other party **at least ten (10) days before the hearing** or **mailed** to the other party **at least thirteen (13) days before the hearing**. Your papers raising **new** issues must be filed with the Court Administrator **at least ten (10) days before the hearing**.

Dated: _____

Signature of person bringing the *Motion*.

Name: _____

Street Address: _____

City/State/Zip: _____

Telephone: (____) _____

E-mail address: _____